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Francoist Crimes: Denial and Invisibility (1936-2016)

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During the Spanish Civil War (1936-1939) thousands of people were murdered, judicially and extrajudicially, in both the Francoist and Republican rearguards. To these must be added thousands of murders that took place during the Franco dictatorship. Nonetheless, the fate of the victims murdered in the Republican zone has been very different to that of the victims of Francoism. While the former have received public recognition, justice and commemoration from the start of the war up to thr present, the latter have suffered denial and invisibility. It is my intention to discuss the implications of this denial and invisibility, which are central to the historiographical debate and the “memory wars” in Spain.

Although the denial of Francoist crimes continues to this day, it originated in the administrative and discursive policies implemented by Francoism from the start of the war. In order to cover up extrajudicial massacres and murders, the Francoist authorities used several methods: 1) not recording the names of the victims, 2) recording some of them but covering up the real cause of death, 3) ‘disappearance’ of people and 4) burials in mass graves.¹ This policy was reinforced from the 1960s

¹ A. Miguez Macho, *La geneología genocida del franquismo* (Madrid 2014), 137; F. Espinosa, “Julio de 1936. Golpe militar y plan de exterminio”, in J. Casanova (coord.), *Morir, Matar, Sobrevivir. La violencia en la dictadura de Franco* (Barcelona 2002), 103-114.

onwards with the destruction of official documents detailing Francoist crimes.² In contrast, in 1940, Franco's government had commissioned a detailed study for repressive and propagandist purposes, which resulted in the collection of thousands of documents and statements (stored in almost 4000 boxes) relating to "red crimes".³

In discursive terms, Francoism rushed to deny its own crimes while using the pain and clamour for justice of the families of those murdered in the Republican rearguard to 1) legitimize the dictatorship, 2) justify the widespread process of elimination, punishment, purging and reeducation of "internal enemies", and 3) hide their own crimes, or, in the exceptional cases where a crime was timidly recognized, justify it as an act of "self-defence" and "justice". This resulted in the emergence of foundation myths such as "The Martyrs" or "The Fallen for God and Spain". Due to their strong emotional content, both expressions became a source of legitimacy for the Franco regime. The Francoist martyrs and fallen were the only victims to be acknowledged and commemorated during the dictatorship and their memory pervaded the public domain for four decades.⁴

The maximum expression of this omnipresence is found at The Valley of the Fallen, a colossal monument built on the outskirts of Madrid. It not only became the great mausoleum of the Francoist martyrs and fallen – the Spanish fascist leader José Antonio Primo de Rivera was buried here, as was the dictator Francisco Franco in 1975 –, but also a symbol of the humiliation and invisibility of the victims of Francoism. It

² F. Espinosa, *La Justicia de Queipo. Violencia selectiva y terror fascista en la II División en 1936* (Barcelona 2006), 5-15.

³ J. L. Ledesma, 'La 'Causa General': fuente sobre la violencia, la Guerra Civil (y el franquismo)', *Spagna Contemporanea*, 28 (2005)

⁴ J. L. Ledesma and J. Rodrigo, 'Caídos y mártires de la libertad. Víctimas y conmemoración de la Guerra Civil en la España posbélica (1939-2006)', *Ayer*, 63 (2006)

was constructed between 1940 and 1959 using Republican forced labour, who, in this way, “atoned for their sins”. More than 30,000 bodies were deposited in the mausoleum, including those of thousands of victims of Francoism, which were removed from mass graves without the knowledge of their families and buried beneath the tomb of their killers.⁵ Great ceremonies were held here every November 20th in memory of José Antonio, Francisco Franco and the Francoist martyrs until 2008, when the Law of Historical Memory put a stop to them. However, the Partido Popular (PP) deny that the Valley of the Fallen has any “historical significance” and have refused to redefine the monument, where masses are still held in memory of Francisco Franco.⁶

The denial and invisibility of Francoist crimes over decades has fostered a lack of sensitivity towards the victims on the part of Spanish society, especially those of a more right-wing persuasion, whose biographical and emotional ties to Francoism are well-known. One of the most extreme examples of this insensitivity is to be found in the declarations of Rafael Hernando, PP parliamentary spokesperson, who, in 2013, claimed that the relatives of the victims of Francoism had only remembered them when the government of José Luis Rodríguez Zapatero provided money to excavate the mass graves.⁷

However, these practices of invisibility are not unique to the Spanish right. They were also adopted by part of the anti-Francoist left, particularly during the final

⁵ F. Ferrándiz, *El pasado bajo tierra. Exhumaciones contemporáneas de la Guerra Civil* (Barcelona 2014) 261-303.

⁶ Europa Press, ‘El PP proclama que el Valle de los Caídos no tiene “significación política” y pide dejar descansar a los muertos’, *Europa Press*, 17 December 2014; G. Stockey, *Valley of the Fallen: The (n)ever changing face of General Franco’s monument* (Nottingham 2013)

⁷ R. Hernando (2013), *El cascabel*. Available at: <https://www.youtube.com/watch?v=3jul86lfuSQ> (accessed 25 June 2016)

decades of the last century. This was largely due to the Transition and the so-called Pact of Forgetting, which served to make the victims of Francoism invisible once again. On the one hand, Francoist memory of the war was perceived as a threatening ghost of the past, endangering the fragile stability of the new democracy.⁸ On the other hand, Francoist memory had been so saturated with violence during the dictatorship that the anti-Francoist movement at that time tended to identify these memories, including those of the victims, with the dictatorship. Consequently, it considered that to “forget” the war was a way of rejecting the dictatorship⁹ and reinforcing democracy.

The message of national reconciliation during the Transition incorporated some “tropes” of the Francoist memory, particularly of that formed from 1964 onwards. That year, the dictatorship partially altered its message, celebrating “25 years of Peace” rather than the “Victory” celebrated previously. Francoist historians continued to proclaim that their history of the war was “objective”, but they no longer referred to it as a “war of liberation” or “The Crusade,” preferring the term “civil war”.¹⁰ This was not a message of reconciliation among the Spanish people, nor was there any intention of forgetting the war, the martyrs and the fallen, although these were pushed into the background.¹¹ The aim was to convey confidence in the future based on economic modernization of the country after the 25 years of peace and progress provided by the dictatorship.¹²

⁸ P. Aguilar Fernández, *Políticas de memoria y memorias de la política: el caso español en perspectiva comparada* (Madrid 2008), 351-376.

⁹ Ledesma and Rodrigo, ‘Caídos y mártires de la libertad’, 246.

¹⁰ M. Richards, *After the Civil War: Making Memory and Re-Making Spain since 1936* (Cambridge 2013), 193.

¹¹ Ledesma and Rodrigo, ‘Caídos y mártires de la libertad’, 244.

¹² Aguilar Fernández, *Políticas de la memoria*, 191-192, 223-224.

The message of national reconciliation promoted during the Transition, and which predominated until the end of the 1990s, incorporated the idea of confidence in modernization and the future and was especially reinforced by the socialist governments of Felipe González between 1982 and 1996.¹³ However, the emphasis on forgetting the crimes of the past was even greater than during Francoism, which always reserved a privileged position for its martyrs. Some years later Felipe González himself admitted that during his tenure there was “not even any recognition of the victims of Francoism and today I consider myself responsible for part of the loss of our historical memory”.¹⁴ The 1936-1939 war was accepted as a “fratricidal war”, a “war between brothers” with a strong moral content which put victims on an equal footing with their executioners. The violent episodes of the war and the dictatorship were thus reduced to some regrettable deeds perpetrated by extremists on both sides. In this way, the motives and nature of the crimes became blurred.¹⁵

Nonetheless, after Franco’s death, several initiatives “from below” challenged the predominant message of forgetting and invisibility. The most significant was the opening of dozens of mass graves by the relatives of the victims of Francoism. With no help from the authorities, families organized the exhumation of their loved ones, who had been buried for forty years. Although the true number is unknown, it has been estimated that from 1975 to 1981 between 1000 and 2000 bodies were disinterred.¹⁶ However, a political event abruptly curtailed these activities: the attempted military coup of 23 February 1981. The exhumations were paralyzed by a new wave of fear and

¹³ Richards, *After the Civil War*, 314-319

¹⁴ F. González and J. L. Cebrián, *El futuro no es lo que era: una conversación* (Madrid 2001), 37-38.

¹⁵ Miguez, *La genealogía*, pp. 133-179.

¹⁶ A. Torrús, ‘Al menos 88.000 víctimas del franquismo continúan sepultadas en fosas comunes’, *Público*, (30 August 2012); Ferrándiz, *El pasado bajo tierra*, 162-167.

were not resumed until twenty years later, in 2000, as a result of a new human rights movement. The political and social impact of this movement was down to its ability to make the invisible, the victims of Francoism, visible once more.¹⁷ Between 2000 and 2012, 332 of the 2.382 mass graves recognized at that time by the Ministry of Justice and the UN were excavated.¹⁸ However, in 2012 the conservative PP government discontinued all grants for exhumations. In response to the constant protests of the civil rights groups, the PP senator José Joaquín Peñarrubia denied that there were more mass graves to be excavated in Spain.¹⁹ The denial of Francoist crimes in Spain is widespread, particularly among those belonging to the Spanish right. This attitude was encouraged by the destruction of thousands of documents during the Transition and the obstacles to accessing the records of the repression of the previous decades.²⁰ In this way, the democratic Spanish government maintained the dictatorship's policy of denial. Despite recent improvements, researchers are still denied access to archives as important as those of the Brigada Político-Social (the dictatorship's political police).

The dictatorship's policy of denial, the destruction of documents during both Franco's regime and democracy, together with the lack of access to the archives, make it impossible to give a precise figure for the number of victims of Francoism. So far, 130,199 people murdered during the war and post-war have been identified.²¹

¹⁷ H. Graham, *The War and its Shadow: Spain's Civil War in Europe's Long Twentieth Century* (Brighton 2012), 140-142.

¹⁸ United Nations, 'Informe del Grupo de Trabajo sobre las Desapariciones Forzadas o Involuntarias. Misión a España' (2 July 2014), 9.

¹⁹ A. Torres Reyes, 'Un senador del PP asegura que "ya no hay más fosas que descubrir"', *El País* (8 October 2015)

²⁰ A. Reig Tapia, *Ideología e historia: Sobre la represión franquista y la guerra civil* (Madrid 1986), 21-25; Espinosa, 'Julio de 1936', 103-114.

²¹ F. Espinosa Maestre, 'La represión franquista: un combate por la historia y la memoria', in F. Espinosa Maestre (ed.), *Violencia Roja y Azul. España, 1936-1950* (Barcelona 2010), 77-78.

However, researchers suggest there were at least 150,000 victims.²² This figure refers exclusively to those killed extrajudicially and executed by military tribunal and does not include the thousands who died while imprisoned, as a result of the extremely hard conditions and/or torture. In contrast, the definitive figure for the number of victims of violence in the Republican rearguard has remained unaltered at 49,272 for some time, although it is believed it may be slightly higher.²³

The difficulty in determining the number of victims of Francoist crimes has tended to encourage denial theories in Spain. These still have repercussions in the mass media, social media and history books. One of the most representative proponents of denial is Pío Moa, who has stated that Franco's dictatorship should be defended using the values of liberal democracy²⁴ or that "Franco did not annihilate the reds, he just taught them a lesson".²⁵ Pío Moa and other authors such as the priest Ángel David Martín Rubio, complain that the figures provided by academics are "inflated" by the "historiographical left".²⁶ In the preface to *The Spanish Second Republic revisited* Nigel Townson claimed that "the historiographical rise of the extreme right did an immense disservice to the studies on the Second Republic"²⁷

The controversy surrounding Paul Preston's *The Spanish Holocaust* can only be understood by those with knowledge of the context. The media and commercial

²² P. Preston, *The Spanish Holocaust: Inquisition and Extermination in Twentieth-Century Spain* (London 2012), xviii.

²³ J. L. Ledesma, 'Una retaguardia al rojo. Las violencias en la zona republicana', in Espinosa Maestre (ed.), *Violencia Roja y Azul*, 247.

²⁴ P. Moa, 'Defender el franquismo', *Libertad Digital* (9 June 2011)

²⁵ J. Romero, 'Pío Moa: "Franco no aniquiló a los rojos, los escarmentó"', *Público* (29 October 2007)

²⁶ P. Moa, 'Represión y "memoria histórica"', *La Ilustración Liberal*, 32 (2007); Á. D. Martín Rubio, 'Víctimas de la Guerra Civil: La izquierda historiográfica y la necesidad de un genocidio', *Razón española: Revista bimestral de pensamiento*, 187 (2014)

²⁷ N. Townson, 'Preface', in M. Álvarez Tardío and F. del Rey Reguillo (eds.), *The Spanish Second Republic Revisited: From Democratic Hopes to Civil War, 1931-1936* (Brighton 2012), viii.

success of the book brought the crimes committed during the war, including those of the Francoists, into the public eye. This unsettled and irritated the deniers, the defenders of the Pact of Forgetting and the group of historians composed of, amongst others, Rey Reguillo, Tardío, Villa, Payne and Julius Ruiz. All have accused Preston of defending Republican myths and writing a partisan version of history. In their reviews published in JCH these authors concentrated on criticizing Preston's interpretation of the pre-war Second Republic, while scarcely mentioning the violence during and after the war. This point should be emphasized since this is the subject of the book, rather than the pre-war Second Republic, which is discussed only in introductory form in the relevant chapters. This may be as a result of Julius Ruiz not participating in the Forum, since he is a specialist in Francoist (and Republican) repression who has published several articles criticizing Preston's book and "partisan history" in Spain.²⁸

Ruiz complains that *The Spanish Holocaust* uses Republican myths to explain Francoist violence and contrasts it with his own work, which, he states, is free from both Francoist and Republican myths. What this author forgets is that Paul Preston's book draws on the work of hundreds of Spanish researchers who have spent decades studying Francoist violence while Ruiz's own interpretation has not convinced the specialists. However, his work has been warmly received both by the Spanish right and by committed defenders of the message of national reconciliation constructed during the Transition. Despite the author's claims, it seems that readers have also found an ideological interpretation in his work.

²⁸ J. Ruiz, 'Vino viejo en odres nuevos', *Revista de los Libros*, 180 (2011); Ruiz, 'Historia militante y Guerra Civil. El holocausto español de Paul Preston

Ruiz's arguments are mainly based on his book *Franco's Justice*, to date, the most comprehensive study of Francoist repression in postwar Madrid.²⁹ Here, he analyzed institutional violence within the different jurisdictions: military justice, the Tribunal of Political Responsibilities, the Tribunal of Freemasonry and Communism and the workplace purges. However, Ruiz superimposes the conclusions of his study of postwar Madrid on the Francoist violence which took place both during and after the war throughout Spain.³⁰

Although Ruiz's works have never denied the existence of Francoist crimes, he minimizes key elements such as extrajudicial murders, disappearances, mass graves or systems of imprisonment and forced conversion.³¹ Julius Ruiz proposes two reasons to refute the existence of a policy of extermination in Francoist violence: 1) it was a myth constructed by Republican propaganda, which had already reported during the war that the Francoist violence hid a policy of extermination³² and 2) Francoist violence did not contemplate a policy of extermination as the violence was most intense during the opening months of the war and in the mid-1940s "the regime abandoned its ambitious goals of punishing military 'rebels' and purging the nation of 'anti-Spanish' influences".³³

The second argument requires a more detailed response. Ruiz disassociates the extrajudicial violence of the first months of the war from state control, despite

²⁹ J. Ruiz, *Franco's Justice: Repression in Madrid after the Spanish Civil War* (Oxford 2005)

³⁰ M. Richards, "The Limits of Quantification: Francoist Repression and Historical Methodology", *Hispania Nova*, 7 (2007), 580-584.

³¹ J. Ruiz, 'A Spanish Genocide?: Reflections on the Francoist Repression after the Spanish Civil War', *Contemporary European History*, 14-2 (2005); J. Ruiz, 'Las metanarraciones del exterminio', *Revista de los Libros*, 172 (2011)

³² J. Ruiz, 'Old Wine in New Bottles: The Historiography of Repression in Spain During and After the Spanish Civil War', in Álvarez Tardío and Rey Reguillo (eds.), *The Spanish Second Republic*, 186-187.

³³ Ruiz, *Franco's Justice*, 226.

studies showing the opposite, although reporting different degrees of control.³⁴ Ruiz considers the concept of extermination exclusively in terms of physical elimination, despite the interpretations of Francoist extermination policy in the historiography being much broader and more open to discussion.³⁵ For example, several authors have spoken of extermination in terms of culture and have underlined the importance of punishment and reeducation. They state that Francoism implemented policies of extermination of the political cultures of “anti-Spain”. This involved the physical elimination of those deemed “incorrigible” by the dictatorship (at least 130,000 victims documented) and a programme of punishment, purging and forced conversion for those deemed “redeemable” and “misled”.³⁶

Ruiz considers that the reduction of sentences in different jurisdictions (military, Political Responsibilities, etc.) in the mid-1940s implied the abandonment of the policies of punishment and purging without taking into account 1) levels of institutional violence remained very high throughout the whole of this decade, 2) non-institutional forms of violence were still present, 3) the individual and collective impact of the punishments, purges and forced conversions lasted for years, even decades, as shown by studies on the policies of segregation at work, social exclusion, control and surveillance or reeducation of the vanquished.³⁷ None of these factors are to be found

³⁴ J. Prada Rodríguez, *La España masacrada. La represión franquista de guerra y posguerra* (Madrid 2010), 146-162; G. Gómez Bravo and J. Marco, *La obra del miedo. Violencia y sociedad en la España franquista* (Barcelona 2011), 44-61, etc.

³⁵ J. Marco, ‘El eclipse de los conceptos. Sobre el debate de la violencia rebelde/franquista’, *Historia Actual Online*, 38-3 (2015)

³⁶ J. Rodrigo, *Cautivos. Campos de concentración en la España franquista, 1936-1947* (Barcelona 2005), 127-171; Gómez Bravo and Marco, *La obra del miedo*, 65-69, 269-291, etc.

³⁷ P. Anderson, *The Francoist Military Trials: Terror and Complicity, 1939-1945* (New York 2010), 123-146; G. Gómez Bravo, ‘Loving the Punished’: The Prison System and the Church in the Post-war Period’, in P. Anderson and M. Á. del Arco (eds.), *Mass Killings and Violence in Spain, 1936-1952* (New York 2015), 137-155; J. Marco, ‘States of war: “being civilian” in 1940s Spain’, in: H. Graham (ed.),

in Ruiz's analysis, despite being present in tens of local, regional and national studies, later included in *The Spanish Holocaust*. For this reason, Ruiz's works only describe some cycles of violence without any explanation of the underlying logic. This prevents the author from discerning Francoism's project of cleansing and political and cultural exclusion.